

# **RULE 225 WOOD BURNING APPLIANCES**

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## **CONTENTS**

### **100 GENERAL**

- 101 PURPOSE
- 102 APPLICABILITY
- 103 SEVERABILITY
- 104 EXEMPTIONS

### **200 DEFINITIONS**

- 201 APCO
- 202 BUILDER
- 203 COOKSTOVE
- 204 DISTRICT
- 205 FIREPLACE
- 206 GARBAGE
- 207 MANUFACTURER
- 208 MASONRY HEATER
- 209 MULTIPLE UNIT RESIDENTIAL DEVELOPMENT
- 210 NEW INSTALLATION
- 211 NONSEASONED WOOD
- 212 PELLET-FUELED WOOD BURNING HEATER
- 213 PERMANENTLY INOPERABLE
- 214 PERMANENTLY INSTALLED
- 215 PERSON
- 216 PUBLIC AREA
- 217 SINGLE FAMILY RESIDENTIAL STRUCTURE
- 218 SOLID FUEL
- 219 SQUAW VALLEY
- 220 TREATED WOOD
- 221 U.S. EPA
- 222 U.S. EPA PHASE II CERTIFIED
- 223 WASTE PETROLEUM PRODUCT
- 224 WOOD BURNING APPLIANCE
- 225 WOOD BURNING STOVE

### **300 STANDARDS**

- 301 EMISSION STANDARDS
- 302 SALE AND INSTALLATION OF WOOD BURNING APPLIANCES
- 303 SALE OR TRANSFER OF REAL PROPERTY
- 304 OPERATION OF WOOD BURNING APPLIANCES
- 305 PROHIBITIONS

### **400 ADMINISTRATIVE REQUIREMENTS**

- 401 COMPLIANCE REPORT

### **500 MONITORING AND RECORDS**

- 501 TEST METHODS

## **100 GENERAL**

**101 PURPOSE:** To limit emissions of particulate matter entering the atmosphere from the operation of a wood burning appliance. Unless otherwise specified, the requirements of this rule are effective immediately.

**102 APPLICABILITY:** Upon adoption, this rule will apply to:

102.1 Any person who manufactures, sells, advertises, offers for sale, supplies, or operates a permanently installed, indoor or outdoor, wood burning appliance in Placer County.

102.2 Any person who installs a wood burning appliance in any single or multiple residential development or commercial development in Placer County.

**103 SEVERABILITY:** If a court of competent jurisdiction issues an order that any provision of this rule is invalid, it is the intent of the Board of Directors of the District that other provisions of this rule remain in full force and affect to the extent allowed by law.

## **104 EXEMPTIONS**

104.1 Gaseous Fuel: The provisions of this rule shall not apply to appliances that are fired exclusively with a gaseous fuel and certified to meet any of the following ANSI standards:

- 104.1.1 ANSI Z21.11.1 – Gas-Fired Room Heaters, Vented
- 104.1.2 ANSI Z21.11.2 – Gas-Fired Room Heaters, Unvented
- 104.1.3 ANSI Z21.50 – Vented Gas Fireplaces
- 104.1.4 ANSI Z21.86 – Vented Gas-Fired Space Heating Appliances
- 104.1.5 ANSI Z21.88 – Vented Gas Fireplace Heaters

104.2 Cookstoves: The provisions of this rule shall not apply to cookstoves.

104.3 Commercial Fire-Starting Products: The provisions of Section 305 shall not apply to commercial products manufactured expressly for starting a fire in a wood burning appliance.

104.4 Rule 202 – Visible Emissions: Wood burning appliances regulated under this rule are not subject to the conditions specified in Rule 202 – VISIBLE EMISSIONS.

104.5 Fireplaces: Fireplaces and other wood burning appliances that are not free standing wood stoves are exempt from the requirements of Section 303.

## **200 DEFINITIONS:**

**201 APCO:** Air Pollution Control Officer.

- 202 BUILDER:** Any individual, person, or company that constructs and/or sells any residential or commercial, single or multi-building unit with a wood burning appliance.
- 203 COOKSTOVE:** Any wood burning appliance used primarily for cooking food as described in Title 40 of the Code of Federal Regulations (CFR) Section 60.531.
- 204 DISTRICT:** The Placer County Air Pollution Control District.
- 205 FIREPLACE:** Any permanently installed masonry or factory built device designed to operate with an air-to-fuel ratio greater than or equal to 35-to-1, a burn rate over 11 pounds per hour, or a weight over 1760 pounds.
- 206 GARBAGE:** Any solid, semisolid, or liquid wastes generated from residential, commercial, and industrial sources, including but not limited to trash, refuse, rubbish, industrial wastes, asphaltic products, manure, vegetable or animal solid or semisolid wastes, and other discarded solid or semisolid wastes.
- 207 MANUFACTURER:** Any person who constructs or imports a wood burning appliance.
- 208 MASONRY HEATER:** Any permanently installed device that meets the definition of a masonry heater in ASTM E 1602-03.
- 209 MULTIPLE UNIT RESIDENTIAL DEVELOPMENT:** Dwelling groups or apartments with two or more total units located on a parcel where the use specified in Section 17.04.03 of the Placer County Zoning Ordinance is allowable.
- 210 NEW INSTALLATION:** Any indoor or outdoor wood burning appliance that is installed and is not replacing an existing wood burning appliance. New construction and structural renovations or additions, beginning on or after January 1, 2009, which include the installation of a wood burning appliance, may be classified as a new installation.
- 211 NONSEASONED WOOD:** Wood of any species that has not been sufficiently dried and contains 20 percent or more moisture by weight.
- 212 PELLET-FUELED WOOD BURNING HEATER:** Any wood burning heater which is operated on pellet-fuel, and is either U.S. EPA Phase II certified, or exempted under U.S. EPA requirements set forth in Title 40 CFR, Part 60, Subpart AAA, Code of Federal Regulations.
- 213 PERMANENTLY INOPERABLE:** Modified in such a way that an appliance can no longer operate as a wood burning appliance.
- 214 PERMANENTLY INSTALLED:** Built or installed in such a manner that the device is attached to the ground, floor, or wall, and is not readily movable. A free standing stove that is attached to an exhaust system that is built into or through a wall is considered permanently installed.
- 215 PERSON:** Any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, operator, user, owner, any government agency, public district, or any officer or employee thereof.

- 216 PUBLIC AREA:** An area of a multiple unit residential development, intended for use by groups of people, including but not limited to a lounge, a restaurant, and a lobby, specifically excluding an office space, a hallway, a bedroom and other associated living areas.
- 217 SINGLE FAMILY RESIDENTIAL STRUCTURE:** A detached building designed for or occupied by one family and located on a parcel where the uses specified in Section 17.04.030 of the Placer County Zoning Ordinance are allowable.
- 218 SOLID FUEL:** Any wood, non-gaseous, or non-liquid fuel.
- 219 SQUAW VALLEY:** Is defined as the area that encompasses: S28 of T16N R16E; S 2 and NE ¼ OF S29 T16N R16E; SE ¼ OF S30 T16N R16E, NE ¼ of S31 T16N and the N 2 of S32 T16N R16E; and the NW ¼ of S33 T16N R16E.
- 220 TREATED WOOD:** Wood of any species that has been chemically impregnated, painted, coated, or similarly modified to improve resistance to insects or weathering.
- 221 U.S. EPA:** The United States Environmental Protection Agency.
- 222 U.S. EPA PHASE II CERTIFIED:** Any appliance certified by the U.S. EPA to meet the performance and emission standards set forth in Title 40 CFR, Part 60, Subpart AAA, Code of Federal Regulations.
- 223 WASTE PETROLEUM PRODUCT:** Any petroleum product, other than gaseous fuels, that:
- 223.1 has been refined from crude oil, and
  - 223.2 has been used, and
  - 223.3 has been contaminated with physical or chemical impurities as a result of use.
- 224 WOOD BURNING APPLIANCE:** Any fireplace, wood burning stove or heater, or pellet-fueled wood heater, or any similar enclosed, permanently installed, indoor or outdoor device burning any solid fuel used for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour (Btu/hr).
- 225 WOOD BURNING STOVE:** An enclosed, wood burning appliance or heater capable of, and intended for space heating as described in Title 40 CFR Section 60.531 Code of Federal Regulations (i.e., wood stove or fireplace insert).

### **300 STANDARDS**

- 301 EMISSION STANDARDS:** Effective on the date specified in Section 302 wood burning appliances must be certified to be:
- 301.1 Not more than 7.5 grams per hour for a non-catalytic wood burning appliance and not more than 4.1 grams per hour for a catalytic wood burning appliance, as set forth in Title 40 CFR, Part 60, Subpart AAA or,
  - 301.2 If a more stringent standard then is specified in Subsection 301.1 has been made effective at the time of installation by the amendment of 40

CFR, Part 60, Subpart AAA, then this more stringent certification standard must be met.

**302 SALE AND INSTALLATION OF WOOD BURNING APPLIANCES:**

302.1 Effective immediately upon adoption, the area known as Squaw Valley will comply with Sections 302.2.1 through 302.2.4 of this rule.

302.2 Effective January 1, 2009;

302.2.1 Any person selling, offering for sale, or installing new wood burning appliances shall distribute public awareness information with each wood burning appliance, in the form of pamphlets, brochures, or fact sheets on the following topics:

302.2.1.1 Proper installation, operation, and maintenance of the wood burning appliance,

302.2.1.2 Proper fuel selection and use,

302.2.1.3 Health effects from wood smoke, and

302.2.1.4 Weatherization methods for the home

302.2.2 No person shall sell, advertise, offer for sale, or supply, a new or used wood burning appliance unless it is one of the following:

302.2.2.1 A U.S. EPA Phase II Certified wood burning appliance,

302.2.2.2 A pellet-fueled wood burning heater,

302.2.2.3 A masonry heater, or

302.2.2.4 An appliance determined to meet the U.S. EPA particulate matter emission standard set forth in Title 40 CFR, Part 60, Subpart AAA Code of Federal Regulations, and approved in writing by the Air Pollution Control District.

302.2.3 For new installations only, of wood burning appliances, no person shall install an appliance unless it is one of the following:

302.2.3.1 A U.S. EPA Phase II Certified wood burning appliance,

302.2.3.2 A pellet-fueled wood burning heater,

302.2.3.3 A masonry heater, or

302.2.3.4 An appliance determined to meet the U.S. EPA particulate matter emission standard set forth in Title 40 CFR, Part 60, Subpart AAA Code of Federal Regulations, and approved in writing by the Air Pollution Control District.

302.2.4 For multiple unit residential developments;

302.2.4.1 Only EPA Phase II certified wood burning appliances or other allowable appliances, as

specified in Subsection 302.2.3, above, may be installed, and

302.2.4.2 The appliances may only be installed in public areas.

302.3 Effective January 1, 2012;

302.3.1 No person, under any circumstances, shall install a wood burning appliance unless it is one of the following:

302.3.1.1 A U.S. EPA Phase II Certified wood burning appliance,

302.3.1.2 A pellet-fueled wood burning heater,

302.3.1.3 A masonry heater, or

302.3.1.4 An appliance determined to meet the U.S. EPA particulate matter emission standard set forth in Title 40 CFR, Part 60, Subpart AAA Code of Federal Regulations, and approved in writing by the Air Pollution Control District.

302.3.2 Except as otherwise stated in this rule, for single family residential use, a person may install and use more than one wood burning appliance as long as the total emissions from the appliances do not exceed the EPA Phase II emissions standards specified for a single non-catalytic wood burning appliance as set forth in Title 40 CFR, Part 60, Subpart AAA, Code of Federal Regulations. Pellet stoves and masonry heaters are excluded from this condition.

### **303 SALE OR TRANSFER OF REAL PROPERTY**

303.1 Effective January 1, 2012;

303.1.1 No person shall sell or transfer any real property which contains a free standing wood stove, without first assuring that each free standing wood stove included in the real property is either an EPA Phase II certified or other allowable appliance specified in section 302.3.1, or is permanently rendered inoperable.

303.1.2 Prior to the sale or transfer of real property, the seller shall provide to the recipient of the real property, and to the APCO, documentation of compliance with section 303.1.1 of this rule. Compliance shall be evidenced by a statement of the seller made under penalty of perjury, on a form provided by the District, that all existing non-certified free standing wood stoves associated with the sale/transfer have been rendered inoperable, or that the structure does not contain any existing non-certified free standing wood stoves. The statement shall be submitted to the District prior to the sale or transfer.

- 303.1.3 All real property will be subject to an inspection, prior to sale or transfer, by the District or other District approved agency, in order to verify compliance with this rule.

**304 OPERATION OF WOOD BURNING APPLIANCES:**

- 304.1 All wood burning appliances shall be installed and operated according to the manufacturer's specifications. No wood burning appliance shall be altered, installed, or disassembled in any way not specified by the manufacturer, or operated in any manner that could result in an additional emissions exceedance.
- 304.2 No person shall cause or allow readily visible smoke from a wood burning appliance to occur for a time exceeding three continuous minutes in any one hour period. Smoke created during a thirty minute start-up or shut-down period is exempt from this condition. Readily visible smoke is equated with an opacity of 20% or greater as designated by shade No. 1 on the Ringelmann Chart.

**305 PROHIBITIONS:**

- 305.1 No person shall cause or allow any of the following materials to be burned in a wood burning appliance:
- 305.1.1 Garbage,
  - 305.1.2 Treated wood,
  - 305.1.3 Plastic products,
  - 305.1.4 Rubber products,
  - 305.1.5 Waste petroleum products,
  - 305.1.6 Paints and other coatings,
  - 305.1.7 Solvents,
  - 305.1.8 Coal,
  - 305.1.9 Glossy or colored paper,
  - 305.1.10 Plywood and composite wood products,
  - 305.1.11 Non-seasoned or green wood, exceeding a 20% moisture content,
  - 305.1.12 Any other material not intended by a manufacturer for use as fuel in a solid fuel burning device.

**400 ADMINISTRATIVE REQUIREMENTS:**

- 401 COMPLIANCE REPORT:** Upon the request of the APCO, a manufacturer shall demonstrate that each wood burning appliance subject to the requirements of Section 301 meets the standards set forth in Title 40 CFR, Part 60, Subpart AAA Code of Federal Regulations.

**500 MONITORING AND RECORDS**

- 501 TEST METHODS:** Compliance with the requirements of this rule shall be determined using the following test methods:
- 501.1 **Air-to-Fuel Ratio:** Air-to-fuel ratio shall be determined by EPA Test Method 28A.
  - 501.2 **Moisture Content:** Moisture content of wood shall be determined by ASTM test method D4442-92.

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